



5/03/00
Outgoing
General Counsel
Peter Brinton <peterbrinton@utah.gov>

Quotes from you for the Sanpete Messenger article

Peter Brinton <peterbrinton@utah.gov>

Mon, Mar 9, 2015 at 2:26 PM

To: Wright Mind LLC <wm@thewrightmind.com>

Cc: Suzanne Dean <suzanne@sanpetemessenger.com>, Paul Baker <paulbaker@utah.gov>, Jim Springer <JIMSPRINGER@utah.gov>

Hi David,

Thanks for the email. Here are a few things that should be corrected from the following excerpts of your text:

1st Excerpt: "Rock mining does not have as strict of regulations because of the low-level long term impact on the land, once the mining activities have ceased, compared to other minerals mined," says Peter Brinton from the DOGM.

Response: This is not correct. Actually, the same set of regulations govern rock mining and other types of mineral (non-coal) mining in Utah.

2nd Excerpt: "there are thirty-two mineral mines registered in Sanpete County"

Response: We have 37 different mineral mine files for sites in Sanpete county. So you are aware, not all of the operations associated with these mine permits are currently active. For example, some have been partly or fully reclaimed, some haven't been issued a permit yet, and some are idle.

3rd Excerpt: "The reason rock mining is classified this way [as a mineral mine] is because the minerals being mined are the large rocks just beneath the surface, which can be mined with surface equipment..."

Response: This is not correct. The reason landscape rock producing operations are often categorized as mineral mines (and thus require a state mine permit) is because many of the deposits from which landscape rock is extracted fit the state's definition of a mineral deposit. Deposits where the majority of the material is sand, gravel, or sand and gravel are exempted from regulation by the Utah Division of Oil, Gas and Mining (the Division or UDOGM).

4th Excerpt: "When a farmer digs out these rocks, it is considered private property excavating and is not regulated by [the DOGM]," says Brinton.

Response: This is not correct. If whoever is excavating the rock is selling the rock or hauling it off-site to gain profit elsewhere, the Division regulates the operation, regardless of who is excavating or whether the land is private property. The Division *does* regulate mining activities on private property. The Division *does not* regulate excavation of landscape rock associated with either building or pipeline construction.

5th Excerpt: ...although rock mining does not have as much of an environmental impact as deeper and larger mineral mines, the DOGM still requires rock mines to go through the same reclamation process once the mining activities have stopped.

Response: The absolute nature of the first phrase above is incorrect, since deeper and larger mineral mines may - or may not - have more of an environmental impact than landscape rock (or other kinds of rock) mining. The rest of the excerpt is adequate. The phrase "have stopped" might be replaced with "are completed", since operations may stop for a while and then start mining again without being required to reclaim immediately.

6th Excerpt: In addition, rock mines are required to have dirt fill and additional soil at the mining site for the

purpose of replacing the volume equating the volume of the rocks being removed from the land.

Response: This is incorrect. There is no mineral mine rule requiring an equal volume of replacement material, but other safety and environmental rules must be met.

Thanks again for checking with me. For the sake of time, I've just addressed the statements that are incorrect, and not tried to explain related concepts or details, but feel free to ask additional questions as needed.

Peter

On Sat, Mar 7, 2015 at 3:35 PM, Wright Mind LLC <wm@thewrightmind.com> wrote:

Hi Peter,

I have copied and pasted the part of the article containing your quotes. Please let me know if you feel you have been misquoted or if any of the quotes were taken out of context.

"Rock mining does not have as strict of regulations because of the low-level long term impact on the land, once the mining activities have ceased, compared to other minerals mined," says Peter Brinton from the DOGM. Rock mining is categorized as a mineral mine and according to the DOGM's website, ogm.utah.gov, there are thirty-two mineral mines registered in Sanpete County. The reason rock mining is classified this way is because the minerals being mined are the large rocks just beneath the surface, which can be mined with surface equipment such as excavators, backhoes, loaders, tractors and dump trucks. In fact, the rocks are so close to the surface in Sanpete County, that those using the land in Sanpete for agricultural purposes will often hit the large pieces of limestone as they are plowing the fields to get them ready for crops. This is evident by the large rock piles that exist on many of the farms in the county that have been removed from the fields, by the farmers. "When a farmer digs out these rocks, it is considered private property excavating and is not regulated by [the DOGM]," says Brinton. Brinton goes on to expound that although rock mining does not have as much of an environmental impact as deeper and larger mineral mines, the DOGM still requires rock mines to go through the same reclamation process once the mining activities have stopped. In addition, rock mines are required to have dirt fill and additional soil at the mining site for the purpose of replacing the volume equating the volume of the rocks being removed from the land. Brinton does say that "it is important to continually evaluate the reclamation process and the impact caused by mining activities."

Regards,
David

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